

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

JOVITA BRANUM, et al.

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:10cv852-DPJ-FKB

DEFENDANT

NATIONAL CREDIT UNION
ADMINISTRATION BOARD AS
LIQUIDATING AGENT FOR VALUED
MEMBER CREDIT UNION

REPORT AND RECOMMENDATION

This matter is before the Court on the motion of Defendant National Credit Union Administration Board as Liquidating Agent for Valued Member Credit Union (NCUAB) for enforcement of a settlement agreement. By its motion, NCUAB seeks to compel Plaintiff Brenda Sones to execute the Confidential Settlement Agreement and Full and Final Release, a copy of which has been filed under seal as Exhibit B to the motion [156-1]. In her response, Plaintiff does not dispute that the written document reflects the agreement of the parties. Rather, she simply refuses to sign the settlement agreement and release unless it contains additional language regarding future claims. The parties' agreement did not contemplate such language. Sones signed a memorandum at the settlement conference stating that she would execute a "full final and complete release" of all claims against NCUAB. [156]. Sones has failed to establish any valid reason why she should not be required to comply with that agreement. For this reason, the undersigned recommends that the motion be granted and that Sones be ordered to execute the Confidential Settlement Agreement and Full and Final Release.

The parties are hereby notified that failure to file written objections to the findings and recommendations contained in this report within 14 days from being served with a copy of this report will bar an aggrieved party, except upon grounds of plain error, from attacking on appeal proposed factual findings and legal conclusions accepted by the district court. 28 U.S.C. § 636; Douglass v. United Service Automobile Ass'n, 79 F.3d 1415 (5th Cir. 1996).

Respectfully submitted, this the 5th day of January, 2015.

/s/ F. Keith Ball

UNITED STATES MAGISTRATE JUDGE